



PETITION TO WITHDRAW NOTICE OF ABANDONMENT

RECEIVED

FEB 06 2004

DAC
A

INVENTOR: Breidenbach, et al.
SERIAL NO.: 09/842, 372
FILED: April 25, 2001
FOR: Dual Cosmetic Container

OFFICE OF PETITIONS

#4

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATT: Mail Stop Petitions

The above-identified application became abandoned for failure to respond to a Notice of Incomplete Reply.

APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Enclosed are the following:

- (1) A check in the amount of \$665 to cover the small entity Petition fee;
- (2) Response to Office Action dated 10/01/02
- (3) Letter to Draftsman with Corrected Drawings

Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

The entire delay in filing the required reply to the notice of missing parts from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Respectfully submitted,

Thomas A. O'Rourke

Thomas A. O'Rourke

Reg. No. 27,665

Bodner & O'Rourke

425 Broadhollow Road

Melville, New York 11747

(631) 423-2700

CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service on the date shown below with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA. 22313-1450.

Date of Deposit: February 3, 2004

Print Name: Thomas A. O'Rourke

Signature: *Thomas A. O'Rourke*